

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Mark Kiroff,

Civil No. 06-0979 (PAM/RLE)

Petitioner,

v.

ORDER

R.L. Morrison,

Respondent.

This matter is before the Court on Petitioner's Motion to Clarify the Court's Order. Based on the submissions of the parties, the Court is satisfied that the Bureau of Prisons (BOP) considered the factors of 18 U.S.C. § 3621(b) when making an individualized determination of the appropriateness of assigning Petitioner to a residential rehabilitation center (RRC). In addition, Petitioner is not eligible for RRC placement at the direction of the BOP. The court that sentenced Petitioner ordered placement in an RRC as part of his supervised release. BOP Program Statement 7310.04 prohibits the "stacking" of an inmate's BOP-directed RRC placement with supervised release RRC placement. (Baker Decl. Ex. B.) Accordingly, **IT IS HEREBY ORDERED** that Petitioner's Motion to Clarify the Court's Order (Docket No. 13) is **DENIED**.

Dated: June 8 2006

s/ Paul Magnuson
Paul A. Magnuson
United States District Court Judge